

1 Gregory S. Walston, State Bar No. 196776
2 WALSTON CROSS
3 222 Columbus Avenue, Suite 420
4 San Francisco, California 94133
5 Telephone: (415) 956-9200
6 Facsimile: (415) 956-9205
7 Email: gwalston@walstonlaw.com

5 | ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MARKHAM ROBINSON,

Plaintiff

V.

**SECRETARY OF STATE DEBRA
BOWEN, et al.**

Defendants.

Case No. CV-08-3836 WHA

**DECLARATION OF GREGORY S.
WALSTON RE: SERVICE OF ORDER
SETTING HEARING**

VALSTON CROSS, ATTORNEYS
222 Columbus Avenue, Suite 420
San Francisco, California 94123
Telephone: (415) 956-9200
Facsimile: (415) 956-9205

I, Gregory S. Walston, declare as follows:

16 1. I am an attorney licensed to practice before all California state courts, the United
17 States District Courts for the Northern and Eastern Districts of California, the United States Court
18 of Appeals for the Ninth Circuit, and the Supreme Court of the United States. I am presently a
19 partner in the Firm of Walston Cross, and, in that capacity, I represent the plaintiff in this action.

20 2. All parties in this matter have been served with process by personal service, and we
21 are in the process of filing the executed summonses.

22 ||| 3. On August 18, 2008, I served the following documents described as:

ORDER OF AUGUST 18, 2008;

**PLAINTIFF'S APPLICATION TO SHORTEN TIME RE PRELIMINARY
INJUNCTION;**

PLAINTIFF'S APPLICATION TO SHORTEN TIME RE: SUMMARY JUDGMENT;

PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION;

DECLARATION OF GREGORY S. WALSTON;

1 I served the documents on the parties below, and in the manners below, as follows:

2 **FOR SENATOR JOHN McCAIN**

3 At approximately 3:45 p.m., August 18, 2008, I telephoned Senator McCain's Office in
4 Washington D.C., where I spoke to Charissa Foster, assistant to Senator McCain's chief counsel.
5 Ms. Foster instructed me to serve the above documents by sending electronic copies to her email
6 address, cfoster@mccain08hq.com. Accordingly, I emailed electronic copies of the above
7 documents to Ms. Foster at 4:18 p.m. that day. My email "sent items" box confirmed that it was
8 sent, and Ms. Foster replied to the email and indicated that the documents had been forwarded to
9 Senator McCain's chief counsel.

10 **FOR THE REPUBLICAN NATIONAL COMMITTEE**

11 At approximately 3:30 p.m., August 18, 2008, I telephoned the Republican National
12 Committee's headquarters in Washington, D.C. I was transferred to the legal department and
13 spoke with Staff Counsel Heather Sidwell. Ms. Sidwell instructed me to serve the above
14 documents by sending electronic copies to her email address, hsidwell@rnchq.org. Accordingly,
15 I emailed electronic copies of the above documents to Ms. Sidwell at 4:18 p.m. that day. My
16 email "sent items" box confirmed that it was sent.

17 **FOR THE CALIFORNIA REPUBLICAN PARTY**

18 I had been previously informed by the California Republican Party's office in
19 Sacramento, California, that the California Republican Party is represented in this matter by:

20 Charles H. Bell, Esq.
21 Bell, McAndrews & Hiltachk, LLP
22 455 Capitol Mall, Suite 801
23 Sacramento, CA 95814

24 On August 18, 2008, shortly before 3:30 p.m., I telephoned Mr. Bell and informed him of
25 the status conference. He asked me to serve him with electronic copies of the above documents by
26 sending them to his email address, cbell@bmhllaw.com. Accordingly, I emailed electronic copies
27 of the above documents to Mr. Bell at 4:18 p.m. that day. My email "sent items" box confirmed
28 that it was sent.

FOR THE CALIFORNIA SECRETARY OF STATE

I called the Secretary of State's office at approximately 4:00 p.m. August 18, 2008. I was transferred to the legal department, who informed me that the California Secretary of State is represented in this matter by:

Nathan Barankin
Deputy Attorney General
California Department of Justice
1300 I Street, Suite 11000
Sacramento, California 95814

I telephoned Mr. Barankin immediately, and was instructed by his secretary that I should serve the above documents by sending electronic copies to Mr. Barankin’s email address, nathan.barankin@doj.ca.gov. Accordingly, I emailed electronic copies of the above documents to Mr. Barankin at 4:46 p.m. My email “sent items” box confirmed that it was sent.

12 I declare under penalty of perjury that the foregoing is true and correct and based on my
13 personal knowledge. Executed August 18, 2008 in San Francisco, California.


Gregory S. Walston